IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.11 OF 2006

Tata Infotech Ltd. ..Appellant.

V/s.

Dy. Commissioner of Income-tax ..Respondent.

Mr.B.H. Patil, senior advocate i/b. Aasifa Khan for appellant.

Mr.A.D.Kango for respondent.

CORAM : V.C. DAGA AND
J.P.DEVADHAR, JJ.

DATED : 12TH JUNE, 2006.

P.C. :-

Heard. Admit on the following substantial questions of law:-

1. Whether on the facts and in the circumstances of the case and in law, ITAT was right in holding that income exempted under section 10A of the Act should be reduced from the profits of the eligible business while computing deduction u/s.32AB of the Act ?

2. Whether on the facts and in the circumstances of the case and in law, the ITAT erred in restricting the relief u/s.90/91 of the Act to 50% of the overseas taxes paid as against 100% claimed by the Appellant Company ?

Mr.A.D. Kango waives service on behalf of the department.

To be heard along with ITA No.545 of 2001.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)